Racing Rules of Sailing

Part 2 Preamble and Rule 36

A submission from US Sailing

Purpose

To reverse two changes made in Palma in November 2014 that have unintended and undesirable consequences.

Proposal

Change the first paragraph of the Part 2 preamble as follows:

*The rules of Part 2 apply between boats that are sailing in or near the racing area and intend to race, are racing, or have been racing. However, a boat not racing shall not be penalized for breaking one of these rules, except rule 14 when the incident resulted in injury or serious damage, or rule 24.1.*

Change rule 36 as follows:

36 **RACES RESTARTED OR RESAILED**

If a race is restarted or resailed, a breach of a rule in the original race, or in any previous restart or resail of that race, shall not

(a) prohibit a boat from competing unless she has broken rule 30.4; or

(b) cause a boat to be penalized except under rule 2, 30.2, 30.4 or 69 or under rule 14 when she has caused injury or serious damage.

Current Positions

As above.

Note: The Current Positions shown above reflect the changes approved for the 2017-2020 RRS in November 2014, as a result of Submissions 128-14 and 139-14.

Reasons

Two well-intentioned 2014 submissions approved by Council in Palma in 2014 have the potential to cause more problems than they fix. The changes to the preamble to Part 2 and to rule 36(b) were intended to target situations where a boat suffering serious damage or injury in an incident before a race is unable to sail in the upcoming race, while the boat that caused the damage or injury is
neither penalized nor prohibited from competing in the race. However, the changes have much more wide-ranging consequences, which, taken together, overwhelm the benefit of the changes:

1. The intent of those 2014 rule changes was to prevent boats that cause injury or serious damage before a race from competing successfully in the ensuing race. However, the rules of Part 2 apply equally after a race. Penalties for breaches of rule 14 after a race will be applied to the race just concluded, not to the race in which the damaged boat is disadvantaged. If the incident occurs after the last race of a series, the boat breaking rule 14 can be protested and disqualified from that race, even though there is no race in which the other boat is disadvantaged.

2. The underlying assumption of those 2014 changes is that the boat breaking rule 14 damaged the other boat, but of course that's not always true. Suppose Boats A and B collide while not racing. A is seriously damaged and B protests A. The protest committee decides that only A broke rule 14 in the incident. Then A will be disqualified even though B sustained no damage.

3. There are no defined time periods for ‘when boats (are) sailing in or near the racing area and intend to race, are racing or have been racing.’ If a boat breaks rule 14 and causes serious damage in a practice race or while practicing the morning before an afternoon race, can she be scored DSQ in Race 1?

Almost every organized sport has rules or procedures which deal with injustices caused by competitors outside the actual competition. In sailing, the appropriate rules are rules 2, 69 and 60.3. Rule 2 is not included in the list in rule 36 of rules that might apply, and this submission corrects that oversight.